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Thesis

Growth of the Sentiment for Independence Among the American Colonies

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Outline

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Outline Continued

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Chapter I

The thought of independence in the minds of the American Colonists was of a surprisingly slow growth. Not until the very eve of the Declaration of Independence was the sentiment for independence popular. To my mind, the sentiment was not sudden but one of long evolution, growing unconsciously. In trying to explain the sentiment for independence, it is necessary to take into account the whole story of American history. The colonies had developed a form of government which left them with comparatively little dependence upon England, and an economic organization which seemed to American merchants to be relatively free from English connections.

The Seven Years' War and its results were very important in forming a link in the chain of the sentiment for independence. The war raised the whole question of imperial reorganization. As English officials saw it, there was immediate need of a much larger measure of Parliamentary control, supported by Parliamentary taxation, a revision of the existing relationship between colonies and empire.

The colonies were relieved from the dread of a foreign foe whose garrisons had hemmed them in and checked their westward march. Spain was pushed farther away when she ceded the Floridas to England. The peril from the Indians was lessened by the fall of the French dominion, the weakening of Spain and the failure of Pontiac. As long as France had kept Canada, the colonies had to look to the mother-country for protection. But with the French danger gone, England ceased to be necessary for the safety of the colonies. Her sovereignty, therefore, was the more readily renounced.

When Vergennes, the French ambassador at Constantinople learned of the treaty of 1763, he said, "The consequences of the entire cession of Canada are obvious. I am persuaded England will ere long repent of having removed the only check that could keep her colonies in awe. They stand no longer in need of her protection; she will call on them to contribute toward supporting the burdens they have helped to bring on her; and they will answer by striking off all dependence."*

Franklin in 1768 was Pennsylvania's representative in London and he presented the other side of the case. He said that the colonists would no longer be massacred by the

* Bancroft, Hist. of U. S. II, 564

Indians if Canada was in English hands. The colonists would thrive and multiply. Right treatment would not affect their allegiance. Their jealousy of each other was too great to bring this result. Although a union of the colonies was necessary for common defense against their enemies, such a union was impossible. If they would not unite against the French and Indians, there was no danger to fear their uniting against their own mother-country. They loved their mother-country more than they loved one another. As long as the government was just, the subjects would remain obedient. On the other hand, heartless exposure of the colonists to their French enemy was more likely to make real the "visionary danger of independence."*

The comments of Vergennes and Franklin showed that the attention of men was already attracted to speculation respecting the future of the American colonies. The vague dream of a great and independent American state, some time to exist, had found expression now and then, long, long before there was any aim or desire for independence on the part of the colonists.

In 1684, Sir Thomas Browne forecast the time

"When America shall cease to send out its treasure,
But employ it at home in American pleasure;

* Franklin, Works, (Bigelow Ed) III, 83

When the New world shall the old invade,
Nor count them their lords, but their fellows in trade."*

Montesquieu, the French political philosopher said in 1730 that England would be the first nation abandoned by her colonies.** It was not much later that Argenson predicted that the English colonies in America would rise against England and form into a republic.*** Peter Kalm, a Swedish traveller wrote in 1748 that he was told the colonies would be able to form an independent state in thirty or fifty years.**** In the year 1750, Turgot, the great statesman and economist of France likened the colonists to fruit. "When they are ripe, they will drop from the stem. When the colonies are ready, they will do as Carthage did, set up for themselves."*****

The enormous growth of the American colonies and the lessons learned from history that colonies mature in time, stimulated the imaginations of men to utter these prophecies. No man desire independence from Great Britain at this early date. Hutchinson wrote in 1758 (and correctly, too, in my opinion) "An empire separate or distinct from Britain, no man then alive expected or desired to see."******

*Frothingham, Rise of Republic, 99
** Montesquieu, Oeuvres, VIII, 452
*** Howard, Preliminaries of the Revolution
**** Hart Am. Hist. Told by Contemporaries, Vol II, 353
***** Woodburn, Causes of Am. Rev. 12
****** Hutchinson, Hist. of Mass. III, 69

An important result of the war which had just passed was the sense of union and of a common cause with which it had inspired the thirteen colonies. This feeling was still none too intense. But during the French Wars the colonies had drawn nearer to one another than ever before. Soldiers from New Hampshire and North Carolina, from Virginia and Massachusetts fought shoulder to shoulder. Colonial officers forgot local jealousies in a common resentment of the contempt and neglect shown them all alike by the haughty subalterns of the king. Mutual good-will was fostered by the money and troops which the southern and less exposed colonies sent to their sister commonwealth on the frontier. In these and numberless minor ways a community of sentiment was engendered.

Chapter II

Before Great Britain succeeded in solving the problems of reorganization which the French War raised, the American colonies revolted. Each of Great Britain's attempts in this direction separated her more and more completely from the American colonists, by gradually developing political thought among them. Beginning with the writs of assistance case, it is possible to trace the change in political thought among the colonists.

The arguments in favor of the writ of assistance were that, without some such process, the laws could not be executed, and that similar writs were authorized by English statutes. Otis in his plea insisted that no English statute applied to the colonies unless they were specially mentioned, and that hence English precedents had no application. But he "went far beyond the legal principles involved." He declared in plain terms that the Navigation Acts were "a taxation law made by a foreign legislature without our consent." He asserted that the Acts of Trade were "irreconcilable with the colonial charters, and hence were void." He declared that there were "rights derived only from nature and the Author of nature," that they were "inherent, inalienable, and indefeasible by any laws, pacts, contracts, governments, or stipulations which man could devise."*

* Hart, Formation of the Union, 1750 - 1829, 54

Otis' violent denunciation was ascribed to a personal hostility that he felt towards Hutchinson, the chief justice of the court. Otis' father had been twice promised the first vacancy on the bench. The promise had been twice broken and on the last occasion Hutchinson had been made chief justice. Before his appointment, Otis had said, "If Governor Bernard does not appoint my father judge of the superior court I will kindle such a fire in the province as shall singe the governor, though I myself shall perish in the flames."*

The immediate effect of Otis' speech has been much exaggerated. John Adams who heard and took notes on the argument declared, years later, that "American independence was then born,"** and that "Mr. Otis's oration against Writs of Assistance breathed into this nation the breath of life." The community was not conscious at the time that a new and startling doctrine had been put forth, or that loyalty to England was involved. The arguments drawn from the rights of man and the supremacy of the charters were of a kind familiar to the colonists. The real novelty was the bold application of these principles, the denial of the legality of a system more than a century old.

In 1763, Patrick Henry protested against the crown's

* Gordon, American Revolution, Vol I, 141
** Adams, Works, X, 248

legislative prerogative in the Parson's Cause. He labored to prove that the two-pence law of 1758 was a good law and could not be annuled consistently with the original compact between king and people. The king degenerated into a tyrant by disallowing a good law. Hence, he forfeited all rights of obedience from his subjects. Henry held that the Virginian burgesses had the constitutional right to pass all legislation necessary to the colony, without interference from the king.

Both Otis and Henry were elected on the strength of their speeches to a seat in the lower house. In Massachusetts and in Virginia, the two lawyers who had come out strongly in opposition to certain forms of British authority, found themselves clothed with new power as representatives of more or less powerful groups.

Chapter III

The Sugar Act was passed in 1763 to help solve some of the colonial problems of administration. Governor Bernard wrote in January 1764 that news of the Sugar Act "caused a greater alarm in this country than the capture of Fort William Henry did in 1757."* Public opinion was organized throughout the colonies as a result of this Sugar Act. A sentiment of union was fostered and forms and modes of concerted action were developed.** From everywhere in the colonies came protests in the form of memorials, petitions, state papers, pamphlets and public meetings. All attention was directed to the Sugar Act. Committees of merchants were formed in various towns, and they corresponded with each other in order to form a union of their councils against the passage of the Sugar Act.

The Boston town-meeting (May 24, 1764) took action against the new Sugar law. Instructions were drafted and presented by Samuel Adams to the town's representatives in the assembly. The representatives were requested to use their influence in maintaining the privileges of the colony. The Bostonians said, "If our trade may be taxed, why not our land? -- why not the produce of our lands, and everything we possess or make use of? This, we apprehend annihilates our British privileges, which, as we have never forfeited them, we hold in

* Howard, Preliminaries of the Revolution, 106
** Ibid, 109

common with our fellow subjects who are natives of Britain. If taxes are laid upon us in any shape, without our having a legal representative when they are made, are we not reduced from the character of free subjects to the miserable state of tributary slaves?"*

The house of representatives appointed a committee to consider the instructions of the Boston meeting. This committee submitted a memorial, drafted by Otis, stating the rights of the colonists. It declared that the authority of parliament is limited, because parliament cannot alter the constitution. Otis wrote an elaborate letter to the agent and a circular letter to all the colonies asking their assistance.

Considerable pamphlet literature was written on the Sugar Act. The Sugar Act suddenly raised the question as to the rights of the assemblies against the rights of Parliament. That most men of the times thought was well expressed by Hopkins, in 1764. He argued that the colonies had always enjoyed as much freedom as the mother-country. Therefore, ancient practices should not be changed. His argument presents the first steps of the colonists to find a theory that would meet the situation.

* Hutchinson, Hist. of Mass. III, 106

Chapter IV

News of a proposed Stamp Act produced instant excitement in the colonies. Petitions and addresses were sent to England in protest. In Connecticut, the assembly desired the governor to prepare an address to Parliament against the Stamp Bill or any other bill for an internal tax. This address and a book of reasons were sent to the agent in London.* This book was called, "Reasons Why the British Colonies in America Should not be Charged with Internal Taxes by Authority of Parliament." It admits that Parliament has supreme jurisdiction over the colonists and that this jurisdiction extends to duties for the regulation of trade. But since the colonists have no representation in Parliament, their rights and privileges would be infringed upon.**

Pennsylvania decided that Parliament had no right to tax them. They resolved to grant aid to the crown according to their abilities in the usual constitutional manner. The same sentiment is repeated in the instructions to the colony's agent. South Carolina sent instructions to her agent in which she complained of the severity of the acts of trade and declared that the Stamp Act would be inconsistent with the right of a British subject not to be taxed but by his own consent. Maryland expressed her hostile opinion toward the

* Conn. Col. Records, XII, 651 - 671
** Ibid, XII, 299

Stamp Act through the press. Virginia sent an address to England, in which she claimed every right of subjects in the mother-country. Exemption from taxes without consent is a fundamental principle of the British constitution.

The New York assembly appointed a committee of correspondence and presented a strong statement of grievances to the king and to the Lords. In a petition to the Commons they declard, "The thought of independency upon the supreme power of the parliament we reject with the utmost abhorrence. The authority of the parliament of Great Britain to model the trade of the whole empire, so as to subserve the interest of her own, we are ready to recognize in the most extensive and positive terms; but the freedom to drive all kinds of traffic, in subordination to and not inconsistent with the British trade, and an exemption from all duties in such a course of commerce, is humbly claimed by the colonies as the most essential of all the rights to which they are entitled as colonists, and connected in the common bond of liberty with the free sons of Great Britain. For, since all impositions, whether they be internal taxes, or duties paid for what we consume, equally diminish the estates upon which they are charged, what avails it to any people by which of them they are impoverished?"*

Resistance in the colonies was not expected.

* Bancroft, Hist. of U. S. III, 89

Franklin thought that the act would go into effect. Hutchinson wrote to the ministry, "The stamp act is received among us with as much decency as could be expected; it leaves no room for evasion, and will execute itself."* Otis declared that it was the "duty of all humbly and silently to acquiesce in all the decisions of the supreme legislature. Nine hundred and ninety-nine in a thousand of the colonists will never once entertain a thought but of submission to our sovereign, and to the authority of parliament in all possible contingencies. . . . . They undoubtedly have the right to levy internal taxes on the colonies."**

Patrick Henry led the first organized resistance. He introduced into the Virginia assembly a set of resolutions that declared the Virginians could be lawfully taxed only by their own assembly and that taxation by Parliament was illegal· that the Virginians were not bound to obey such laws, and that any person who favored them, should be deemed an enemy of Virginia. Many members of the Virginia assembly regarded such resolutions as criminal. As Henry said, "Tarquin and Caesar had each his Brutus; Charles the First his Cromwell; and George the Third" - Cries of treason were heard from every part of the house - "may profit by their example. If this be treason, make the most of it."***

* Bancroft, op. cit. III, 110
** Otis, Vindication of the British Colonies, 21, 26
*** Howard, op. cit. 144

The resolutions were adopted by the assembly and copies were sent to Philadelphia and New York. They were taken to New England where they were published in the newspapers. The universal testimony of the time was that these resolutions started all the violent opposition which followed during the summer. General Gage wrote from New York that these resolutions were "the signal for a general outcry over the continent."*

Other colonies quickly followed with resolutions. Their argument was that Parliament had never before taxed the colonies in internal matters. Internal taxation was the exclusive field of the colonial legislatures. They admitted that Parliament could tax them externally.

Many people of Boston and other towns pledged themselves to stop using English goods. Merchants in New York and Philadelphia formed associations for the purpose of canceling all their English orders. Societies were formed for encouraging domestic manufacture. The people resolved to repress extravagance at funerals and to stop eating lamb in order to increase the supply of domestic wool for the making of clothes. Everywhere sprang up associations of Sons of Liberty who actively resisted the execution of the Stamp Act.

In New York the opposition was bitter. John Morin Scott suggested independence. He wrote that the "great

* Stedman, American War, Vol I, 33

fundamental principles of government should be common to all its parts and members, else the whole will be endangered. If, then, the interest of the mother-country and her colonies cannot be made to coincide, if the same constitution may not take place in both; if the welfare of the mother-country necessarily requires a sacrifice of the most natural rights of the colonies -- their right of making their own laws, and disposing of their own property by representatives of their own choosing -- if such is really the case between Great Britain and her colonies, then the connection between them ought to cease; and, sooner or later, it must inevitably cease."* A New York newspaper announced that on February 7, 1765, Lady North American liberty died of a cruel stamp on her vitals, but that she had left an only son named Independence. The hopes of all are rested upon him when he becomes of age.**

Joseph Galloway wrote in 1766, "A certain sect of people, if I may judge from their late conduct, seem to look on this as a favorable opportunity of establishing their republican principles, and of throwing off all connection with their mother-country. Many of their publications justify the thought."***

Mobs broke loose under the influence of Henry's resolutions. The mob in Boston hung in effigy the proposed

* Dawson, Sons of Liberty, 70
** Dawson, Ibid, 77
*** (Spark) Franklin, Works, Vol VII, 303

stamp distributors, smashed the windows and furniture of one, destroyed the records of the court of admiralty, sacked the house of Lieutenant-Governor Hutchinson. This outrage was said to be incited by the sermon of Reverend Dr. Mayhew, a Puritan minister. His text was, "I would they were even cut off which trouble you."* Similar attacks took place elsewhere. Before the Stamp Act went into effect, all stamp distributors had resigned their posts. The mob had threatened their lives.

In the autumn, there was a meeting of the colonists in New York to deal with the Stamp Act question. The Stamp Act Congress passed resolutions of protest and sent a petition to the king and to Parliament. They expressed great loyalty to Great Britain. They declared, however, that they had the same rights as Englishmen born within the kingdom. They argued that Parliament could not tax them internally unless they were represented in that body.

John Adams said that he had never before seen such unanimity.** The colonists killed the Stamp Act more effectively than the clauses of the navigation and trade laws which did not suit them. No one paid attention to the Stamp law in any of his dealings.

The Stamp Act would probably have not been repealed, had not the Declaratory Act been joined with it. Rejoicing

* Howard, Op. cit, 151
** John Adams, Works, Vol. II, 173

over the repeal of the Stamp Act was displayed even in England. Houses were illuminated and ships hoisted their colors. It was the rejoicing of those who expected relief from the restoration of American trade. In America, the rejoicing was great. Letters and addresses were written, thanksgivings held in churches, boycotting associations dissolved, and trade resumed. The people felt proud at the fact that they could compel England to repeal laws.

The repeal of the Stamp Act advanced the colonies on their way to independence. The patriot party gained confidence in themselves. Now by mob violence the patriots stopped all efforts that England made to check smuggling. James Otis told the people that the repeal of the Stamp Act could be interpreted into an abandonment by England of the navigation and trade laws. From the repeal of the Stamp Act, England failed to enforce any laws which the patriot party disliked.* The nation dared not protect her chosen officials in the colonies, and would not punish rioting and resistance. Instead, she repealed a law at the demand of the rioters. John Hughes, a stamp distributer, who was forced to resign his post said, "If Great Britain can or will suffer such conduct to pass unpunished, a man need not be a prophet or the son of a prophet to see that her empire in North America is at an end."**

* Quincy, Reports of Mass. Superior Court, 445, 446
Gordon, American Revolution, Vol I, 234
** (Almon) Prior Documents, 49

Chapter V

During the year following the repeal of the Stamp Act, things moved quietly in the colonies. John Adams wrote, "The repeal of the stamp act has hushed into silence almost every popular clamor, and composed every wave of popular disorder into a smooth and peaceful calm."* A statue to the king and an obelisk to Pitt were voted by the assembly of Virginia. Statues to both the king and Pitt were voted by New York. Maryland and Massachusetts passed acts indemnifying those who had suffered in the Stamp Act riots.** A real and genuine feeling of loyalty appeared to be in existence in the colonies at this time.

There was one cloud in the sky. At the same time as the Stamp Act, the Mutiny Act was passed. Resistance came from New York first. Her disobedience caused Parliament to enact a law which suspended the New York assembly until it complied with every particular in the law. The assembly complied fully with the requisition, but the incident was a startling revelation to the colonists of the power exercised over them by Parliament.

In 1767, Great Britain took the colonists at their word on the distinction between external and internal taxes and introduced the Townshend bill. The colonists were to pay duty at their ports in the exact manner which they had claimed

* Adams, Works, II, 203
** Gordon, American Revolution, Vol I, 210 - 212

was lawful and constitutional.

The colonists were beginning to change their attitude about the authority of Parliamant. Many of the leaders no longer drew the line at internal taxation for revenue. Their philosophy changed from no representation, no taxation, to no representation, no legislation.*

Once more petitions, resolves and memorials were prepared. Associations for suspending imports were again renewed. The merchants hoped to restore the old conditions of trade. This aim they never abandoned until about 1770 when they became alarmed at the mob violence.** The merchants dominated public opinion. They were in earnest and got good results.*** On the day that the taxes went into effect (November 20, 1767) the people were quiet, although two years before, they had broken out with violence against the Stamp Act. The petitions were full of expressions of loyalty. They merely asked to be relieved from the new taxes. They stated that Parliament had authority over them, but that this authority must be consistent with the fundamental rights of nature. They asked for a return of the conditions which they had enjoyed before the French War.

In February 1768, Massachusetts sent a circular letter to all the colonial assemblies. She argued the subject

*Bancroft, op. cit. III, 234
** Schlesinger, The Colonial Merchants, 91
*** Ibid, 157, 178 - 79

in a quiet way. She said nothing about external and internal taxes. The Townshend act was called an infringement of their natural and constitutional rights. The duties took away their property without their consent. In other words, the doctrine of consent was now applied to external as well as internal taxes. Now natural rights were added to constitutional rights as an argument, to meet England's broader and more determined efforts to control them. All thoughts of making themselves independent of the mother-country were disclaimed.

The British government directed the governor of Massachusetts to have the assembly rescind this letter. All the colonial assemblies were requested to take no notice of the Massachusetts letter. The patriots thought that England wanted to deny them the right to petition and the right to consult among themselves. The Massachusetts legislature refused to rescind the letter. James Otis exclaimed at the time, "Let Britain rescind her measurers, or the colonies are lost to her for ever."* Most of the colonial legislatures rejected the instructions of the ministry and sent Massachusetts sympathetic replies.**

The Townshend Acts brought the colonists to the point of denying all parliamentary authority. This new argument was stated well by John Dickinson, a lawyer of Philadelphia in <u>Letters from a Farmer</u>. His letters caused

* Frothingham, Rise of Republic, 217
** Prior Documents, 175 - 193; 202-222, 243

the greatest excitement. Poems and eulogies were written in Dickinson's honor. At the same time, his letters were criticized as going too far and "calculated to excite the passions of the unthinking."*

Dickinson's letters showed the danger of losing control of the salaries of the governors. They showed the full meaning of Parliament's suspension of the New York assembly. Parliament was all-powerful in its control of the colonies if it could suspend the function of a colonial legislature. He conceded that Parliament could regulate the external commerce of the colonies by duties. These duties must be for regulation and not for revenue. Revenue duties would form an external tax. Dickinson's argument was really a denial of all the authority of Parliament. Exercise of governmental authority is connected with taxation, and one cannot exist without the other. Parliament was being pushed out of all relations with the colonies.**

Samuel Adams formulated a theory which was designed to prove that the colonies were subordinate but not subject to the British Parliament. At this period he desired the union with Great Britain to continue. He reasoned that the policy of the ministry must alienate the affections of the colonies from the mother-country, and he speculated on the consequences

* Life and Writings of Dickinson, Vol II, 280
** Snow, Administration of Dependencies, 29 - 40
Life and Writings of Dickinson, Vol II, 281, 282
Carl Becker, Declaration of Independence, 94 - 97

that might ensue from American independence.*

In 1768, Benjamin Franklin wrote, "I am not yet master of the idea these . . . . . writers have of the relation between Britain and her colonies. I know not what the Boston people mean by the "subordination" they acknowledge in their Assembly to Parliament, while they deny its power to make laws for them, nor what bounds the Farmer sets to the power he acknowledges in parliament to "regulate the trade of the colonies," it being difficult to draw lines between duties for regulation and those for revenue; and, if the Parliament is to be the judge, it seems to me that establishing such a principle of distinction will amount to little. The more I have thought and read on the subject, the more I find myself confirmed in opinion, that no middle ground can be well maintained; I mean not clearly with intelligible argument. Something might be made of either of the extremes: that Parliament has a power to make <u>all laws</u> for us; or that it has a power to make <u>no laws</u> for us; and I think the arguments for the latter more numerous and weighty, than those for the former. Supposing that doctrine established, the colonies would then be so many separate states, only subject to the same king as England and Scotland were before the union."**

* Frothingham, Op. cit. 245
** Carl Becker, op. cit. 102

From this time on, Franklin assumed that there were separate states all subject to the king; that each state had its own legislature outside the jurisdiction of the British Parliament.

The ministry were united on the point that when an act was passed in Parliament and approved, it became a part of the Constitution. In America, it was reasoned that unless some power existed in a free state superior to the House of Commons, and which no power could destroy, the idea of a constitution was a nullity. This veneration for the free principles of the British Constitution was accompanied with the warmest expressions of loyalty to the crown. The popular leaders, so far from desiring to divide the empire, stated that they could not be justly suspected of having even the most distant thought of independence. They declared that if it were offered to them, they would refuse it, and would look upon it, as the greatest misfortune to be obliged to accept it.* There is no valid ground on which to question their sincerity in these declarations.

In April, 1770, all duties were repealed except that upon tea in order to support the right of parliamentary taxation. The ministry found that the Townshend Act was a failure.

* Frothingham, Op. cit. 242

Chapter VI

Many signs showed that a dangerous spirit was arising. The fifty-gun ship "Romney" arrived in Boston with several impressed seamen from New England. One of the impressed men was rescued by the people. Soon afterwards, John Hancock's ship "Liberty" arrived in Boston with a cargo of wine from Madeira. The custom officers seized the ship for violating the trade laws, and she was immediately rescued by the Boston mob. The mob damaged the houses of the custom officers and attacked them with bricks and stones. They were forced to seek safety on the war-ship "Romney." They did not come back until troops occupied Boston.*

Again, thirty or forty men landed a cargo of wine in the night and boldly carted it through the streets of Boston. Everyone in the town knew about it, but the custom officer did not attempt to make a seizure. Hutchinson added, "Nor is it probable that he could have succeeded, if he had attempted it."** Similar events took place elsewhere.

The 'Gaspee Affair' in June 1772 again showed the hostility to the enforcement of the acts of trade. Many of the most prominent citizens of Rhode Island had taken part in it. They had been summoned openly to meet at a tavern and had started from a public wharf. The next day, one of them paraded through the streets with Dudingston's hat and related how he obtained it.

* Gordon, American Revolution, Vol I, 231, 237, 240
John Adams, Works, Vol II, 215
** Hutchinson, History of Massachusetts Bay, III, 88

Yet no proof of their identity or guilt could be obtained by England.* People were encouraged by this incident to keep on defying the British government, since they saw that they could commit acts of violence without punishment.

For the first time, Great Britain tried to enforce obedience in one of the colonies by military force. The people of Boston were not accustomed to the British soldiers and boiled with indignation against such occupation. The Massachusetts assembly declined to do any business while they were surrounded by an armed force. They thought that their refusal to transact business would compel the governor to remove the troops from town. Instead, the governor adjourned the assembly to meet in Cambridge. At the Cambridge meeting, the assembly protested against the right of the governor to remove them and protested against a standing army in a colony in time of peace.

Other colonial assemblies passed similar resolves. A series of articles by Samuel Adams in the Boston Gazette seemed to have started the opinion that in time of peace Great Britain should not keep regular troops in a colony and should not build fortifications except by the consent of the colony.** He argued that Englishmen did not allow a standing army on their soil without their consent given through representatives

* J. R. Bartlett, Destruction of the Gaspee, 139
** Fisher, Struggle for American Independence, 129

in Parliament. Americans could not be represented in Parliament; hence a standing army could be placed among them only with the consent of their own assemblies, where they were represented.

Quarrels were frequent between the British troops and the native population. In March, 1770, a riot occurred with the troops in Boston which attracted much attention. Great excitement reigned in Boston. A cry spread abroad that the soldiers were rising. People armed themselves. Governor Hutchinson quieted the people. A town-meeting was held the next day. A committe which Samuel Adams headed, urged Hutchinson to remove the soldiers from town; that such action was necessary to preserve the peace. Hutchinson agreed to send the soldiers down the harbor. The people had boasted that they would find a way to force the soldiers out. They found their way.

When the troops left, the commissioners of customs left, too. They no longer considered themselves safe. One of them returned to England, apparently to inform the government of the state of affairs. The people of Boston feared that he had taken with him affidavits describing the Boston Massacre from the loyalist viewpoint. A town-meeting was held in order to prepare their own account of the story. They said that the commissioners had not been in danger, that the soldiers

had behaved outrageously and had ceased to be the king's troops and that they could be resisted and driven out.

In order to bring the colonies under control, the ministry tried an experiment on Massachusetts. An order from the king directed that the salaries of the governor and judges should be paid by warrants from the revenue collected by the commissioners of customs. The ministry took the colonists at their work that they were loyal to the king. The Massachusetts patriots denounced this order as an outrageous usurpation.

Samuel Adams made this plan of the British govenn-ment the occasion for party organization through committees of correspondence. The committee system was afterwards adopted by the other colonies. An immediate encouragement of revolu-tionary ideas in Massachusetts appeared. The newspapers threatened to form an independent commonwealth unless their liberties were restored at once.*

Public sentiment in Massachusetts was further aroused by the publication of letters written by Hutchinson, then governor of Massachusetts, to a private correspondent in England. The letters were circulated about London as evidence of the rebellious condition in the colonies. Franklin was still in London as agent. He represented the colonies as most loyal with no desire for independence. In the year 1772,

* Frothingham, op. cit. 291

a member of Parliament told Franklin that he must be mistaken in his views about the colonies; that the disorders in the colonies were so bad that the Massachusetts officials, themselves, had asked for troops. Franklin doubted this statement and proof was given him in the form of the Hutchinson letters.

Franklin sent the letters to Massachusetts with a note of his own in which he said, "For my own part, I cannot but acknowledge, that my resentment against this country, for its arbitrary measures in governing us, conducted by the late minister, has, since my conviction by these papers that those measures were projected, advised, and called for by men of character among ourselves, and whose advice must therefore be attended with all the weight that was proper to mislead and which could therefore scarce fail of misleading; my own resentment, I say, has by this means been exceedingly abated. I think they must have the same effect with you."*

The letters in Massachusetts brought a result which was exactly opposite to what Franklin intended. The patriots were aroused to great indignation that the hated troops had been sent through the request of their own officials. The result of the Hutchinson letters was that hostile feeling was intensified and Franklin's influence in England destroyed.

* (Spark) Franklin, Works, IV, 412

Chapter VII

In spite of recent events which tended to widen the breach, most people were satisfied with the condition of affairs. The people were generally prosperous in business and desired peace. A town under the leadership of zealous patriots voted that the union between the colonies and Great Britain was not worth a straw. Occasionally a writer urged in an essay in the newspapers that the only way to place American liberty on a firm foundation was to form an independent state. But these were the views of extremists, and were generally disavowed. The great mass of people valued the union with the mother-country. They regarded themselves as fellow-subjects with the English. It was the prevailing sentiment that a recognition of co-equal rights would enable the people of both countries to live long under the same flag. The popular leaders stated that they did not deny the sovereignty, but opposed the administration. The colonists were in the habit of expressing loyalty to George III in letters written in the confidence of friendship as well as in their state papers. A letter of Franklin to Samuel Cooper, dated April 27, 1769 says, "I hope nothing . . . . will diminish our loyalty to our sovereign or affection for this nation. I can scarcely conceive a king of better dispositions."*

The transition to a state of agitation was sudden

* (Spark) Franklin, Works, Vol VII, 440

by the passage of the Tea Act. Again, attention was fixed upon the original and profound question of taxation. The Americans were determined not to pay a tax levied by a body in which they were not represented. Again were heard the old, political arguments against taxation. The interests of the merchants were utterly opposed to the act.** The committees of correspondence all over the country worked up the passions of the people. The tea was described as a poison, and spasms, vapors, hypochondrias, apoplexies, palsies, dropsies, rheumatisms, consumptions were ascribed to the drinking of tea.** The east India Company was attacked as an inhuman monopoly. Once the company got a foothold in the colonies, it would trade in other articles besides tea. Colonial merchants would then be driven out of business.***

It was at this time that a union of all the colonies in a Congress was suggested by the ardent. This measure was earnestly advocated in the press. The Boston Gazette now demanded "a Congress of American States to frame a bill of rights," or to "form an independent state, an American commonwealth."****

The majority of the people wanted moderation. They wanted to prevent the landing of the tea and to prevent the

* Schlesinger, The Colonial Merchants, 262 - 264
***Ibid, 269, 273, 275
** Ibid, 276
**** Boston Gazette, September 13, 1773

payment of a duty and to send the tea all bank to England. The Tea Act was thoroughly defeated by them, in Boston, by the 'tea party', in other places by less violent action.

The colonists in general approved of Boston's action, but the reactions among individuals differed. The diary of John Adams contains the statement, "This is the most magnificent movement of all. There is a dignity, a majesty, a sublimity in this last effort of the patriots, that I greatly admire."*

The feelings of Henry Laurens revealed the sacredness of property which was characteristic of the merchants. "I won't say the people have proceeded too far in drowning and forcing back the tea; possibly it may prove to have been the most effectual and therefore wisest method; but at present I commend the proceeding at Charlestown in preference to all the rest; the consignees refuse the commissions; the people will not purchase the commodity; it must remain in store and perish or be returned at the expense of those who sent it. There is a constitutional stubborness in such conduct which must be approved of every true Englishman and open the understanding of those whose stubborn attempts to ensnare America are supported by no other plea than power."**

* Frothingham, op. cit, 310
** Wallace, Henry Laurens, 194

The 'tea party' was considered an act of injustice by Benjamin Franklin. Harrison Gray, a Tory, believed that the unrepentant tea-destroyers would be punished by God in "the lake which burns with fire and brimstone."*

The great body of the people would have welcomed the repeal of the duty on tea and the Declaratory Act with bursts of joy. The hope was general that the desire of the two countries to keep together, the justice of the American claim to equal rights, and their resolution and increasing power would affect public opinion in England to such a degree as to bring about a reversal of the present policy, and thus restore harmony. The utterances of Samuel Adams show that he hoped rather than expected that the ministers would alter their policy. In case of their persistence, he saw no other result than separation and independence.

The whole continent had become united in sentiment and in opposition to unconstitutional measures. However, the old good-will and affection for the mother-country was not lost. If Great Britain returned to her former moderation, the former love would return. The people wanted nothing more than permanent union with her on the condition of equal liberty.

*Channing, History of United States, III, 133

Chapter VIII

The whole of England was aroused by the 'Boston Tea party.' Parliament speedily carried through the four measures known as the 'intolerable acts' as punishment for the conduct of the colonists. The Quebec Act, passed nearly at the same time, was classed by the colonists as one of the 'intolerable acts,' also. The condemnation of these bills was spontaneous in the colonies. Resolutions of sympathy with Boston were passed in meetings all over the country. "All America is a flame! I hear strange language every day. The colonists are ripe for any measure that will tend to the preservation of what they call their natural liberty."* The colonies rallied to the assistance of Boston.

Samuel Adams remarked, "Boston suffers with dignity: if Britain, by her multiplied oppressions, accelerates the independency of her colonies, whom will she have to blame but herself? It is a consolatory thought that an empire is rising in America." "Our people think they should pursue the line of the Constitution as far as they can; and if they are driven from it, they can then with propriety and justice appeal to God and the world. . . . I would wish to have the humanity of the English nation engaged in our cause, and that the friends of the Constitution might see and be convinced that nothing is more foreign to our hearts than a spirit of rebellion. Would to God they all, even our enemies, knew the warm attachment we

* Eddis, Letters from America, 158

have for Great Britain, notwithstanding we have been contending these ten years with them for our rights."*

A Congress now engrossed the public mind, and on September 5, 1774, delegates from the colonies met at Philadelphia. The object aimed at, as stated in the credentials of the delegates, was to obtain a redress of grievances, and to restore harmony between Great Britain and America.

Most Englishmen saw no danger in the Continental Congress. Hutchinson wrote from London, "Nobody seems to give themselves the least concern about the consequences of the projected Congress, supposing it can do no hurt to the kingdom."** They thought that Congress might be a conservative body in favor of the empire and that Boston might be advised to pay for the tea.***

Most of the delegates were able men and intended to act conservatively. John and Samuel Adams, Cushing and Paine were known to be radical. Before they reached the Congress, they were warned not to mention independence.****

There is very little evidence to show just what was said in the discussions, because no record was kept. To judge from the few incidents that have been recorded, the action of the Congress was far from unanimous. A policy of resistance was adopted chiefly because Samuel Adams had the ability to

* Frothingham, op. cit. 349
** Diary and Letters of Thomas Hutchinson, Vol I, 415
*** American Archives, 4th series, Vol I, 516, 517
**** John Adams, Works, Vol II, 512

organize his forces. Joseph Galloway recorded that Adams "eats little, drinks little, sleeps little, thinks much, and is most decisive and indefatigable in the pursuit of his objects." It was this man, who, by his superior application, managed at once the faction in Congress at Philadelphia, and the factions in New England.* Through Adams' planning, the Suffolk resolutions were placed before the Congress and adopted. From now on, the loyalists separated more and more from the patriots with whom many of them had worked.**

The loyalists had a champion in Joseph Galloway. His early speeches do not indicate divergence from the patriots. He held that the colonies ought to mould their internal policy and that they ought to be represented in the body that levied taxes on them. He was no more ardent than the patriots in professing allegiance to the crown, nor more earnest in desiring reconciliation and the preservation of the union between the colonies and Great Britain. Galloway made the preservation of the union the paramount object, while the patriots made the preservation of their rights and liberties paramount. Galloway was opposed to independence in any event. The popular leaders meant to preserve their rights, even with the sword if need be, even though this might involve a separation.

Galloway presented a plan of reconciliation before

* Galloway, Historical and Political Reflections, 67
** The Congress Canvassed, 5

the Congress, but it was defeated by a majority of one vote. The proceedings connected with it were expunged from the minutes, a fact which the loyalists claimed, showed the intention to kill all efforts of reconciliation.*

Congress approved of a Declaration of Rights and Grievances and an Association. The Declaration of Rights was an ultimatum. England had to accept or reject it. The power of Parliament could extend only to regulation of external commerce, if there was no idea of taxation."* If any one violated the rules of the Association, committees were ordered to publish the fact in the paper. Moderates were no longer able to go their own way. They could not break the resolves of Congress without having their names published as enemies of the country.***

Congress put forth a document entitled, "The Address to the People of Great Britain." The Americans claimed all the privileges of British subjects. It condemned the Quebec Act. It argued against control by Parliament; that such control plus Roman Catholicism in Canada would be used to inflict tyranny on the English masses.

Another document, "An Address to the Inhabitants of Canada," was sent to Canada. Congress asked the Canadians to join the colonies against England. They told the Canadians

* American Archives, 4th series, Vol. I, 1234
John Adams, Works, Vol. II, 387
** MacDonald, Select Charters, 356
*** Schlesinger, op. cit. 432, 433

that they were making a mistake in submitting to Great Britain. The loyalists ridiculed this document. They said that the Canadians would see both documents and laugh at Congress.

The final paper issued by the Congress was, "The Petition to the King." Parliament's authority was rejected, and the king was accepted as the head of the empire. The king was asked to remedy the list of grievances which the Congress named.

About the middle of september, the delegates of the Congress were given an elaborate banquet by the citizens of Philadelphia. Many toasts were drunk to favor a happy reconciliation.

Patrick Henry and John Adams believed that England would never accept the action of Congress. Some men like Richard Henry Lee believed that all of the demands made by Congress would be granted. Assertions of the most devoted loyalty were uttered by the patriots. Franklin assured Lord Chatham in 1774 that he had never heard in America "from any person drunk or sober, the least expression of a wish for separation."* Washington made the statement October 9, 1774, that none of the colonies wished to set up for independence.**

Before Congress adjourned, it provided for another meeting the following May, in case that grievances were not redressed by that time.

* (Bigelow) Franklin, Works, Vol II, 446
** Washington, Writings, Vol II, 443
Frothingham, op. cit. 369 - 370

Chapter IX

The year 1774 dates the rise of the loyalists as a distinct party. Previous to that year, most conservatives joined the radicals in seeking a redress of grievances. Before 1774, there existed a small loyalist party under the leadership of the government officials and some of the Anglican clergy. Taxation was defended by them, the stamp act approved, the Stamp Act Congress declared unconstitutional by them.

In America, both loyalists and patriots prepared for war, as if they felt sure that the ultimatum of Congress would be unaccepted. The private supplies of arms were removed from Boston by the patriots. The patriots raised protests at the fortification of the isthmus by General Gage. The Virginian governor reported in December 1774 that every county was busy in arming and drilling its patriots, that they had abolished courts of justice and that the royal government was disregarded. Other colonies passed protests against Parliament and professed utmost devotion to the king.*

Gage bought up all the military equipment that he could find. Patriots persuaded merchants not to sell. From all parts of Europe the patriots purchased arms. Everyone felt that the affected friendliness could not last much longer.

The second Congress met, as appointed, on May 10, 1775. The Congress had the task of deciding what step must be next taken, for they learned that their ultimatum was re-

* Niles, Principles and Acts of the Revolution, 99, 100, 246

jected by England. The instructions of the delegates still bound them to seek a redress of grievances and to restore harmony.

The people of Mecklenburg County, North Carolina were extreme. Their delegates assembled at Charlotte, May 31, and passed some carefully prepared resolutions. They had denied all authority of Parliament and admitted allegiance only to the king. They were anxious for the king to do something which would legally destroy their allegiance to him. They found such an act in the king's address to Parliament, February 1st, in which he declared that the American colonies were in a state of rebellion. The Mecklenburg resolutions said that the declaration of rebellion annulled all British laws and civil government in America. In order to preserve good order, it was necessary to establish in place of the British authority, certain rules and regulations of their own. These resolutions were really a declaration of independence. They were sent to Congress but attracted little attention there.

As yet, the public mind was not ripe for independence. Jefferson said of Virginia, "It is well known that in July, 1775, a separation from Great Britain and establishment of republican government has never yet entered into any person's mind."* The Massachusetts Provincial Congress declared that the battles of

* Frothingham, op. cit. 428

Lexington and Concord had not detached them from their lawful sovereign. John Adams wrote on March 13, 1775 that the assertion that the inhabitants panted after independence was "as great a slander on the province as ever was committed to writing."** In Hanover County, Virginia, a person who had said that the country aimed at independence more than opposition to Parliamentary taxation, was compelled by the county committee to confess his sorrow for such an offense.** In Pennsylvania, the committee of Chester County was charged with aiming at independence. They declared that they held in horror so pernicious an idea.*** In North Carolina, the Assembly, the County Convention, and the Provincial Congress stated that reconciliation was their object. A Mr. Dwight wrote, "In the month of July, 1775, I urged, in conversation with several gentlemen of great respectability, firm Whigs, and my intimate friends, the importance, and even the necessity, of a declaration of independence on the part of the colonies, . . . but found them disposed to give me and my arguments a hostile and contemptuous, instead of a cordial reception. . . . . These gentlemen may be considered as the representatives of the great body of thinking men of this country."****

The Congress aimed to act as dutiful subjects contending for their constitutional rights. They declared that

** Frothingham, op. cit. 428
** Force's Archives, 4th Series, III, 744
*** Archives, 4th Series, III, 744
**** Frothingham, op. cit. 453

the United Colonies would not lay down their arms until hostilities ceased, grievances were redressed, and a guaranty was provided for the future.

The theory that the popular leaders were playing a game of hypocrisy may be tested in the case of Washington. The New York Provincial Congress, in an address to him (June 26, 1775) said that adjustment of differences with the mother-country was the fondest wish of every American. Washington in his reply, pledged his colleagues and himself to use every exertion to reestablish peace and harmony. "When we assumed the soldier, we did not lay aside the citizen; and we shall most sincerely rejoice with you in that happy hour when the establishment of American liberty on the most firm and solid foundations shall enable us to return to our private stations, in the bosom of a free, peaceful, and happy country."*

There is no ground on which justly to question the sincerity of declarations like those of Congress and Washington. A second petition was sent to the king by Congress. It expressed the greatest attachment for him and asked to be freed from his ministry. The condition of things at this point of time was stated in a letter written by Franklin, and read in the House of Commons. "If you flatter yourselves with beating us into submission, you know neither the people nor the country. The Congress . . . . will wait the result of their <u>last</u> petition."**

* Frothingham, op. cit. 438
** (Spark) Franklin, Works, Vol VIII, 161

The popular leaders aimed at a redress of grievances. The idea was general of a Bill of Rights, embodying the conditions on which the integrity of the empire might be preserved. This was their last appeal for a settlement on such a basis. Many instances could be cited where colonies adopted new constitutions which were to continue only until peace was restored with England. The New Hampshire legislature so late as December 25, 1775, in the very act of framing a new state government, totally disavowed all desire for independence.

British sovereignty in the colonies was extinguished in 1775. The patriots had gained control of the legislatures or had a provincial congress which rendered the thgislatures powerless. During the year 1775, the patriots got rid of their governors who were the only symbols left of British authority.

Until the rejection of the second petition of Congress, a reconciliation with the mother-country was the unanimous wish of Americans generally. Not until then, did Madison, Jay, Franklin and others advance from the simple aim of a redress of grievances to a desire for independence.* Samuel Adams was prepared to advocate independence after the events of April 19, 1775. The idea of independence was now

* Frothingham, op. cit. 453n

boldly advocated by the press. Private letters evinced the same spirit. "The king's silly proclamation," wrote James Warren, "will put an end to petitioning movements worthy your august body are expected,- a declaration of independence, and treaties with foreign powers."* Joseph Hawley wrote, "The eyes of all the continent are fastened on your body, to see whether you on this occasion act with firmness and integrity, and with the spirit and despatch which our situation calls for. It is time for your body to fix on periodical annual elections,- nay, to form into a parliament of two houses."** Abigail Adams wrote, I could not join to-day in the petitions of our worthy pastor for a reconciliation between our no longer parent state, but tyrant state, and these colonies. Let us separate."*** George Mason expressed the feeling aroused in Virginia when he wrote, "When the last dutiful and humble petition from Congress received no other answer than declaring us rebels and out of the king's protection, I from that moment looked forward to a revolution and independence as the only means of salvation."****

The appearance of Thomas Paine's "Common Sense" greatly encouraged this desire of independence. Thousands of copies were printed and circulated all over the country. He

* Bancroft, op. cit. Vol VIII, 136
** Frothingham, op. cit. 453
*** Ibid, 453
**** Ibid, 453

ridiculed the lingering sentiment for England. He sneered at the habit of speaking of England as home. He spoke of the king as the "Royal Brute of Great Britain." He laughed at the mother and daughter relationship that was assumed between England and the colonies.

A pressure on Congress to make a declaration of independence began in November, soon after the circulation of the king's proclamation. A strong party opposed this step. They had John Dickinson as their most distinguished leader who carried with him patriots such as James Wilson, the Livingstons, and Robert Morris. This party consisted of a few delegates from New England, the majority from the Middle Colonies, and about half of the Southern delegation. They generally looked upon the proposed step as premature. Wilson moved that a committee be appointed to frame an address to meet the king's charge that the Americans were aiming at independence. The motion alarmed Samuel Adams. He succeeded in having the subject postponed. The majority of the members were opposed to any disclaimer of separation. This probably reflected the public sentiment.

In the beginning of the year 1776, there was a public opinion in favor of independence in New England, and little more than individual preferences for it in the Middle

and Southern Colonies. By March, public opinion became pressing in demand. Even the conservative Washington declared, "Reconciliation is impracticable. Nothing but independence will save us."* So deeply seated was the affection for Great Britain, that it required all the severe acts of war before the majority of the people could be persuaded to renounce their allegiance.

While Congress was hesitating, "A Lover of Order," on March 9th, proposed through the newspapers that the constituents of each delegation should be invited to declare their sentiments on independence through their local organizations. Soon after, members of Congress requested their assemblies to express their sentiments on independence. Massachusetts gave instructions to her delegates in Congress, virtually favoring independence in January, 1776. Georgia did the same in February; South Carolina in March. Express authority to "concur independency" came first from North Carolina on April 12th. On May 4th, Rhode Island renounced allegiance. On May 15th, Virginia ordered her delegates to propose independence. Connecticut, New Hampshire, Delaware, New Jersey and Pennsylvania took action in the same direction during the following month.

On June 7th, Richard Henry Lee of Virginia moved

* E. Benjamin Andrews, History of United States, Vol I, 173

the resolution in Congress, "That these united colonies are and of right ought to be free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."* John Adams seconded the motion. It led to great debate which evinced that New York, New Jersey, Pennsylvania, Maryland and South Carolina were not yet quite ready for so radical a step. Postponement was therefore had until July 1st. A committee, in the meantime, was appointed to draft a declaration, and efforts were made to win over the colonies to an immediate declaration.**

On July 2nd, after further long debate, participated in by John Adams, Dickinson, Wilson and many other of the ablest men in Congress, not all, even now, favorable to the measure, the Declaration of Independence was adopted by vote of all the colonies except New York. The representatives from New York did not vote because they lacked sufficiently definite instructions.

* Carl Becker, Declaration of Independence, 3
** American Archives, 4th series, Vol VI, 813, 814

Summary

The sentiment for independence was not of a moment's growth, but of a long period of evolution. Even when the Declaration of Independence was adopted, many were against it. An American loyalist made the interesting but biased estimate that at least nine out of ten of the people of America were adverse to the revolt.*

To explain the sentiment for independence, it is necessary to take into account the whole story of American history. The colonies developed liberal forms of government and comparatively free economic connections. With the French War came a new era to the colonies. It revealed to English officials the need of imperial reorganization. To the colonists, it brought relief from a foreign foe, which meant that England ceased to be necessary for their protection. Above all else, it stimulated among them the sense of union.

Great Britain's attempts to bring the colonists into more complete control, were responsible for the gradual development of political thinking which resulted in the declaration of independence. James Otis defied the exercise of the royal prerogative in the Writs of Assistance Case; Patrick Henry in the Parson's Cause. The Sugar Act caused the colonies to ask what were the rights of the Assemblies as against the rights of Parliament. At first, the colonists

* Boucher, J., Reminiscences of An American Loyalist, 121

declared that Parliament had full power over them except in the one item of internal taxes. Then the argument advanced to the position of denying all authority of Parliament.

The patriots formed organs of resistance. The Sons of Liberty, extending throughout many of the colonies, were responsible for most of the mob violence and outrages of 1765 to 1775.* They guided the judgment of the people in every part of the continent. Everywhere arose Committees of Correspondence for the purpose of producing unity in action concerning a statement of the rights of the colonies. These Committees played a great part in creating and guiding public sentiment, and in fostering the germs of the American Revolution. It did not take long before the various intercolonial Committees assembled together to form a Congress that spoke in the name of the continent.

At first, even those who later became loyalists joined the ranks of the patriots. The rejection of the second petition which Congress sent to the king, convinced the popular leaders that the only way to establish American liberties on a firm basis, was to declare independence of Great Britain. From then on, the sentiment for independence spread rapidly over the country.

* Adams, J. T. Revolutionary New England, 319

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